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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CALVIN GAINES,	)	
	)	
Plaintiff,	)	No. 11-cv-4433 (WJM/MF)
	)	
v.	)	
	)	<b>STATEMENT OF MATERIAL</b>
ROB FUSARI and ROB FUSARI	)	<b>FACTS NOT IN DISPUTE</b>
PRODUCTIONS, LLC	)	<b>PURSUANT TO</b>
	)	<b><u>LOCAL RULE 56.1</u></b>
Defendants-Third Party Plaintiffs	)	
	)	
v.	)	
	)	
STEFANI GERMANOTTA aka LADY GAGA,	)	
	)	
Third-Party Defendant	)	

Pursuant to Local Rule 56.1(a), third-party defendant Stefani Germanotta aka Lady Gaga (“Germanotta”), by and through counsel, submits the following Statement of Material Facts Not in Dispute in support of her motion for summary judgment.

The following material facts in this case are established or uncontroverted:

**REDACTED**

**REDACTED**

3. No later than June 10, 2010, the Fusari Parties became aware that plaintiff Calvin Gaines (“Gaines”) claims to have been a co-author and co-producer of certain works co-written

by Fusari and Germanotta (the “Subject Works”) by virtue of his “history of musical collaboration” with Fusari.

Supporting Documents

Complaint (Dkt. 1) ¶ 41

Second Amended Answer and Counterclaim (Dkt. 49) ¶ 41

4. The claims asserted by the Fusari Parties in the current action are claims that could have been asserted by the Fusari Parties as of August 25, 2010.

Supporting Documents

Complaint (Dkt. 1)

Second Amended Answer and Counterclaims (Dkt. 49) ¶ 41

Dated: October 1, 2012

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